

EXHIBIT A

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OHIO
EASTERN DIVISION**

Nathan Roberts and Freedom Truck Dispatch
LLC,

Plaintiffs,

v.

Progressive Preferred Insurance
Company; Progressive Casualty Insurance
Company; and Circular Board Inc.,

Defendants.

Case No. 1:23-cv-01597 (PAG)

Judge Patricia A. Gaughan

DECLARATION OF GARGI PATEL DUIRK

I, Gargi Patel Duirk, hereby declare as follows:

1. I am over the age of eighteen. The statements in this declaration are based on my personal knowledge, and if called upon, I can and would competently testify to these statements.
2. I am employed by Progressive Casualty Insurance Company (“Progressive”) as a Marketing Process Manager II. As part of my work responsibilities, I oversee Progressive’s sponsorship of certain grant programs directed to small businesses, including the 2023 Driving Small Business Forward grant program (the “2023 Program”) that is the subject of the above-captioned lawsuit (the “Lawsuit”).
3. The 2023 Program was administered in partnership with Defendant Circular Board Inc. (“Circular Board”), and offered grants to eligible small businesses that were majority Black-owned. The 2023 Program is not ongoing, but concluded following the issuance grants to its recipients.

4. In 2023, Progressive also funded a grant program administered by Circular Board that offered grants to eligible small business owners of all racial and other demographic backgrounds (the “Small Business Growth Fund”).

5. At least as early as June 2023, I had begun considering eligibility criteria for a new 2024 Driving Small Business Forward grant program (“2024 Program”). Since at least that time, my intended plan has been for the 2024 Program—like 2023’s Small Business Growth Fund—to be open to eligible small businesses with owners of all backgrounds.

6. My plan for the 2024 Program to be open to eligible small business owners of all backgrounds was based upon business reasons and was not influenced in any way by the Lawsuit or any other litigation or legal proceedings. The Lawsuit was filed long after I had already begun planning for the 2024 Program to be demographic-neutral.

7. In accordance with my months-long plans, the 2024 Program will, in fact, be open to eligible small businesses of all demographic backgrounds. Progressive does not plan to sponsor grants in the future that include race- or other demographic-based eligibility criteria.

I declare under penalty of perjury that the forgoing is true and correct.

Executed on February 6, 2024.


Gargi Patel Duirk